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SUBJ: JDL TRIALS IN NY SUPREME COURT

REF: USUN 1100

POL 23-8 US

xc POL 13-10 US

1. COURT APPEARANCE RABBI KAHANE AND SIX JDL MEMBERS INDICTED FOR CRIMES ALLEGEDLY COMMITTED ARAB-AMERICAN RELATIONS OFFICE MAY 22, 1970, IN TOURIST NOVEMBER 1970 AND AT SMUN DECEMBER 27, 1970 WHICH POSTPONED UNTIL JUNE 14 NOW FURTHER POSTPONED UNTIL JULY.

2. ASST NY DIST ATTORNEY STAN LUPKIN WHO WILL TRY CASES SAYS THAT NYC POLICE DEPT OFFICERS WHO ARE COMPLAINANTS AND WITNESSES IN CASES WILL BE ON VACATION DURING VARIOUS TIMES REMAINDER JUNE AND JULY. RABBI KAHANE'S LAWYER THIS CASE HAS JUST COMPLETED 5-WEEK MURDER TRIAL AND NEEDS TIME OFF VISIT WITH HIS CHILDREN BY DIVORCED WIFE. LUPKIN ALSO ON VACATION IN JULY. LUPKIN PLANS BREAK HIS VACATION TO APPEAR IN COURT TO HAVE RABBI KAHANE CASE AT ON CALENDER FIRST DAY AUGUST TERM. HOPES HAVE CASE TRIED BY JUDGE ISADORE DOLLINGER WHO LUPKIN FINDS EASY TO WORK WITH. LUPKIN PLANS TRY EACH DEFENDANT SEPARATELY AFTER COMPLETION RABBI KAHANE TRIAL.

3. LUPKIN SAYS THAT IN PREPARING FOR TRIAL HE HAS REACHED CONCLUSION CASE AGAINST RABBI KAHANE WEAK. LUPKIN VIEWED TV FOOTAGE OF JDL DEMONSTRATION OF DECEMBER 27, 1970 AND

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OTHER AVAILABLE EVIDENCE AND BELIEVES IT WILL BE DIFFICULT TO PROVE RABBI KAHANE GUILTY OF CHARGES OF RIOT OR INCITING TO RIOT. RABBI KAHANE MADE INFLAMMATORY STATEMENTS AT HUNTER COLLEGE BEFORE CROWD MARCHED TO SMUN BUT APPARENTLY DID NOT FOLLOW UP WITH ILLEGAL ACTIONS AT SMUN. MISOFF URGED LUPKIN KEEP RESEARCHING AND OFFERED HELP IF NEEDED.

4. LUPKIN ASSURED MISOFF THAT NY DISTRICT ATTORNEY OFFICE DOING EVERYTHING POSSIBLE TO BRING JDL CASES TO TRIAL AND SUCCESSFUL CONCLUSION AS SOON AS FEASIBLE. WHEN MISOFF EXPRESSED DISMAY AT FURTHER DELAY LUPKIN NOTED THAT SECOND KAHANE RETRIAL IN TASS CASE ON FOR JUNE 26 SO PRESSURE STILL ON RABBI KAHANE.

5. LUPKIN SAYS CASES AGAINST OTHER DEFENDANTS WARSHAW, STERNBERG AND FONE WHO HIT POLICEMAN ARE GOOD. SAME WITH EISER WHO ASSAULTED ARAB. OTHER CASES ALSO NOT BAD. JOFFEE BELIEVED TO BE IN ISRAEL.

6. COMMENT: WE ARE NOT GREATLY IMPRESSED WITH NY DISTRICT ATTORNEY EFFORTS BRING RABBI KAHANE CASES SPEEDILY TO TRIAL. DA OFFICE LINE WHEN DELAYS ARE MENTIONED IS TO EFFECT "IF YOU THINK THIS IS BAD YOU SHOULD SEE THE DELAY IN SOME MURDER CASES WHICH MUCH MORE SERIOUS THAN JDL CASES." WE WILL KEEP TRYING.

RUSH

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